IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 11133 of 2004

Between:

S. Hymavathi, W/o. Late S. Satyanarayana, aged 56 years,
Besides Post Office, Prasadampadu, Vijayawada. ..... PETITIONER

AND

The Managing Director, The Andhra Pradesh State Seeds Development Corporation Ltd., Haca Bhavan, Opp. Public Gardens, Hyderabad-4.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court may be pleased to issue a Writ of direction more particularly writ in the nature of Writ of Mandamus declaring the order passed by the respondent in proceedings No. SSDC/Admn./Exgratia/2004-05/1502 dt. 14-6-2004 is illegal, void and against the law and violation of Article 21 of the Constitution of India and consequently direct the respondent to provide an employment to the petitioner's son under compassionate appointment and pass such order in the ends of justice.

Counsel for the Petitioner: MR. S.S.VARMA

Counsel for the Respondent No: MR. V.AJAY KUMAR, STANDING COUNSEL FOR APSSDC

The Court at the admission stage made the following ORDER:

The present writ petition is filed questioning the proceedings No.SSDC/Admn./Exgratia/2004-05/1502 dated 14.06.2004.

2. By the impugned proceedings, consequent on the death of S.Satyanarayana, an ex-gratia amount had been paid to the legal heirs of Satyanarayana. Therefore, providing compassionate appointment to the son of late Satyanarayana, was rejected by the Andhra Pradesh State Seeds Development Corporation Limited, Hyderabad.

3. As seen from the impugned proceedings, the Government of Andhra Pradesh vide G.O.Ms.No.36, Public Enterprises (III) Department, dated 05.09.2001, as a part of Restructuring and Down Sizing Manpower in the Public Sector Undertakings, reviewed the policy and decided that the scheme of Compassionate appointments in the Public Sector Undertakings should be dispensed with. In lieu thereof certain amounts have to be paid as Ex-gratia to the dependants of the employees of Public Sector Undertakings dying in harness, the said G.O. has been adopted by the Board of Directors on 22.12.2001. G.O.Ms.No.36, dated 05.09.2001, is not under challenge. Therefore, the petitioner has no right to ask for compassionate appointment to her son.

4. In pursuance of the Government policy, an ex-gratia was fixed for the death of a person and that the amount has been received by the legal heirs of the deceased person. So, the writ petitioner cannot have a double advantage. Therefore, the writ petition is totally devoid of merits and dismissed at the stage of admission. In the circumstances, no order as to costs.

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(K.C.BHANU, J)

Dated: 7th July, 2004.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

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Copies to

1.The Managing Director, The A.P.State Seeds Development Corporation Ltd.,

Haca Bhavan, Opp. Public Gardens, Hyderabad-4.

2.Two CD copies.